

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: \$
Jan Nieman, et al \$
Filing Date: January 31, 2001 \$
Ser. No.: 09/773,361 \$
For: CATALYST CARRIER WITH HIGH \$
DIESEL SELECTIVITY \$

Docket No.: ACH 2650P1US

#9
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OCT 17 2001

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION TO THE COMMISSIONER

Sir:

This is in response to a NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION mailed on April 3, 2001 (copy enclosed). The Notice was based on the allegation that the specification did not include at least one claim. In fact, the specification as filed did include claims.

Enclosed is a copy of the specification and claims accompanying the above Notice. It is clear that what happened is that the claims on pages 21 and 22 became rearranged in the papers as filed so that those pages were between pages 16 and 17. The check of the papers by the Initial Patent Examination Division apparently missed the claims because they were not in their proper place.

Applicants respectfully request that the instant application be accorded the date stated in the above caption as the filing date.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

April 26, 2001

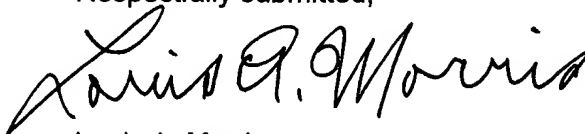
Diane L. Moxley
Diane L. Moxley

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Applicants also respectfully request that the petition fee submitted herewith be refunded.

Also submitted herewith is a signed Declaration.

Respectfully submitted,

A handwritten signature in black ink, reading "Louis A. Morris". The signature is written in a cursive style with a large, sweeping initial "L".

Louis A. Morris
Attorney for Applicants
Reg. No. 28,100

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